

STATE OF WISCONSIN
Senate Journal
Eighty-Seventh Regular Session

TUESDAY, January 15, 1985

2:00 P.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for a moment of silent prayer.

The senate remained standing and Senator Cullen led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 32.

Absent -- Senator Norquist -- 1.

Absent with leave -- None.

By request of Senator Cullen, with unanimous consent, the chair was directed to appoint an escort to await upon the Governor.

The chair appointed Senators Cullen and Engeleiter to await upon the Governor.

By request of Senator Cullen, with unanimous consent, the senate adjourned until 3:20 P.M.

The senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the State of the State message.

IN ASSEMBLY CHAMBER

IN JOINT CONVENTION

The President of the Senate in the chair.

The committee to await upon the Governor appeared with his excellency the Governor, who delivered his message as follows:

This is a bright day for the state of Wisconsin.

As we enter a promising new year, the state of our proud state is once again in tune with its motto. We're moving forward again.

For each of the past two years, I have had to come before you with bad news. I've asked for sacrifices and hard choices, not only from you as legislators but from all the people of Wisconsin.

Today, those sacrifices and hard choices have paid off. In a real sense, Wisconsin has never been stronger. The state of the state has never been more promising.

I say this knowing we still have serious problems. Although we have made gains in employment, too many are still out of work. Although we have begun to recover from recession, the gap between those who are prospering and those who are not is too wide. There are still too many farm foreclosures and small business failures. We have yet to do all that must be done to answer problems like acid rain and toxic waste disposal.

Notwithstanding these problems, I believe we have never been stronger.

Our eyes are open to what we need to do to prevail. Two years of trial have restored our nerve and our taste for competition.

We had grown soft and complacent. Now we're fit and trim. We're in fighting shape.

We've kicked the habit of shying away from the problems that threatened us. Now we've learned to come out swinging.

Deficits had become our red badge of shame. Today, we have relearned the wisdom of operating in the black.

As a result, our state is entering 1985 with new strength and energy. And we got it the old-fashioned way -- we earned it.

We earned it in part by building new public-private partnerships for the benefit of everyone. In two years, many divisions between the public and private sector have been overcome. Many people of good will have contributed to the strength we now enjoy.

But now that we have it, what are we going to do with it?

I repeat: What are we going to do with it? There is no larger question before us today.

Now that we have regained our vigor, we are at a crossroads. We can choose the broad and familiar road of business as usual, or we can take the road less traveled. We can drift back toward mediocrity or we can drive forward toward greatness.

In a few short years the world around us has changed dramatically. We are no longer protected from competition and we are no longer automatically on top of the heap.

In 1985 we must seize the opportunity to break from our past habits of taxing and spending, break from the status quo, and allow Wisconsin to succeed and prosper in the new world before us.

In the coming weeks, I will be calling on you to take the road less traveled. Let me outline some of the directions I will ask you to take.

State and Local Relations

Wisconsin, over the years, has forged a strong partnership between state and local governments. In 1985 we will have the opportunity to chart a new path in those relations.

The state will take its obligations under the constitution to heart. One of those obligations is education. I will propose that the state make the largest investment in public education in its history.

At the same time, municipalities will be encouraged to take more responsibility for the strictly local functions they perform: street maintenance, housing inspection, police and fire protection, trash pickup and the like.

There will be many benefits from this realignment. The state will increase its investment in the preparation of our children and young adults, thereby making a direct contribution to economic development. At the same time, we will let the schools know we expect much more rigor from them.

We will attack the dropout problem, insist on literacy for every child by the end of third grade, and place a new emphasis on education for employment.

I believe it is time to make a Wisconsin high school diploma a passport to a job for every girl and boy who graduates from our system.

At the same time that we channel more money into education, we will be channeling dollars of relief to the property taxpayer. The need for better education and the need for property tax relief are presently on a collision course. We cannot afford to have either one lose. Only the state, by fulfilling its constitutional mission, can come in with a solution that answers both needs.

And we will not stop there in our plans for property tax relief. In addition to our investment in education, I will propose new measures to remove services from the property tax that have little or no relevance to the ownership of property. I'm talking about public assistance and criminal justice.

State shared revenues will not be frozen, nor will they be cut at the base. We will continue to support our cities, towns and villages -- but we will restructure our assistance in a way that will bring municipal budgets into a sharper and more accountable focus.

The result of all of this should be better education, better opportunity, even better-managed local governments, and a substantial benefit at the bottom line for the property taxpayer.

Public Assistance

Now let me turn to public assistance. In 1985 we will have the opportunity to chart a new path in the way we administer what most people call "welfare."

Aid to needy individuals was meant to be, and always should be, both temporary and humane. In too many cases today, it is neither.

In the last budget, we took the opportunity to change the economic rules of the game in the area of health care.

This year I'll propose to change the economic rules of public assistance.

We must remove every disincentive the system now holds for people who can work and desire to work. I think most of us want to be productive and independent. We must give everyone that chance, and we will offer new proposals to do just that.

The Environment

In another area -- the environment -- we will have the opportunity to take a new approach to the protection of our natural resources.

Our environmental programs have worked well to help us clean up our air and our rivers, lakes and streams. They're good -- but they're too reactive. We clean up after the damage has been done.

A far-reaching environmental program for Wisconsin must go beyond clean-up to prevention. Prevention will be the watchword in our proposals, and we will begin this year in the areas of soil erosion, water diversions and toxic waste.

Prevention makes both economic good sense and environmental good sense. Let this be the year in which paying for our mistakes gives way to a strategy of preventing them.

Income Tax Reduction and Reform

These departures and others will depend on ingenuity as much as dollars to achieve their results. A competitive Wisconsin can no longer spend by habit. We must spend only for results.

But spending is less than half the story, and I suggest that the most significant departure we can make in 1985 may not be on the spending side at all but in the area of tax reduction and tax reform.

In 1985 we will have the opportunity to enact the most important reform of our income tax since this state pioneered the progressive income tax in the early part of this century.

The tax has lost much of its progressivity. Its base is too narrow and its rates are too high. It has become encumbered with a confusing maze of special deductions and exemptions.

The principle that people with the same income should pay the same tax has been lost, and confidence that the tax system is truly fair has been eroded.

Right now, our income tax is the most prominent economic liability over which government has control. If you and I can find the courage to enact the far-reaching reform shaped by the strategic development commission, refined by our department of revenue and supported by many of our state's most forward-looking business leaders, Wisconsin will become a model for the nation and this legislature will make its mark in history.

Under the plan I will propose, the brackets will be reduced to three, the rates will come down and most exemptions and deductions will be eliminated. A sliding standard deduction will be created to keep the structure fair and progressive.

Those who contend this is a tax cut for the rich have not studied this plan.

If it is enacted, ninety-eight thousand low-income residents who now pay income taxes will have no tax liability at all.

Two-thirds of the benefit of the tax cut will accrue to middle-income taxpayers.

At the same time, the top rates will come down and we'll get this punitive reputation as a high-tax state off our backs.

But I would emphasize -- the benefits will not end there. We'll cut taxes and simplify them, but we'll also take a step which will change the nature of the way we debate taxing and spending for generations to come.

Everyone likes to talk about holding down the cost of government, but without a strong force to hold down the growth of revenues such talk is empty.

Let's face it. If you're talking about holding down the cost of government by closing down a two-year campus or phasing out a state program you're still talking about relative nickels and dimes. But if you put a brake on the revenues that pay for all of government, then you're getting serious.

The professionals who have spent time in this capitol know I'm telling the truth. They know it is easy to tinker with a complex system and open up a hidden spigot here or there to produce a bit more revenue without anyone really noticing.

But with three simple rates and virtually no exemptions to them, anyone seeking to increase revenues will be walking onto a brightly lit stage.

The virtues of this reform are great for Wisconsin. But I warn you that an army of special interests stands between us and our goal.

The real threat to progress in this session is not partisanship on the floor but pressure in the parlors.

I expect the debate over this tax reform will be clouded with tortured statistics, questionable claims and appeals to narrow self-interest.

And so I urge every one of you, Democrats and Republicans, and especially those of you who are here for the first time, to keep your vision clear and your eye on the general interest and the public good as we approach this debate.

"Fighting Bob" La Follette used to say that there are times when half a loaf is worse than none at all. Don't let yourself be persuaded that this tax reform proposal is only a slogan, a trial balloon or a game of compromise.

In the era of "new federalism," Wisconsin has a chance to show the nation that what most can only imagine, we can achieve.

We do indeed stand at the crossroads.

Wisconsin: Yesterday and Tomorrow

Let me close this report by reminding you of what we have been and what we can be. Two commentators have said this about our state:

Neil Peirce and John Keefe said: "Like a bright meteor sailing through a midnight sky, Wisconsin in the first years of this century showed the nation what an individual state, if it has the will, can do to enhance the life and security of its people."

Let me stress critical phrase: What a state can do... "if it has the will."

Let's be frank about our past. Wisconsin, at the beginning, was not destined to stand out among the states of the republic. When it was founded, Wisconsin was an ordinary place. In some ways our state was not very admirable.

When Wisconsin achieved statehood, the state had fewer than 250,000 residents. Government was often mediocre and corrupt. The state treasurer in those days could invest state revenues where he wished and pocket the interest.

In those days, the educational system was poorly developed and reached too few.

In those days, the special interests held sway. And, in an area with which I am especially familiar -- the environment -- a handful of exploiters laid the state to waste.

The railroad companies and lumber interests carved up Wisconsin and raped the land. What was not destroyed right away was finished off by the cut-and-burn practices of the lumber companies.

The state was left nude. Our rivers and streams became sewers for the disposal of human and industrial waste. Our fish and game began to vanish. There was no space reserved for public parks or public forests.

Less than 20 years after statehood, the conservationist Increase Lapham lamented, "While we are holding out inducements for the oppressed of all the earth to make new homes in our midst, we are planting the seeds of decay that sooner or later will render their homes miserable."

Wisconsin was not "something special" then.

But at some point some people made a judgment that this was going to change -- that we were not going to be like all the rest -- that we were going to a cut above the rest.

And what were the results?

The result was that Wisconsin created a model educational and university system, so that the boundaries of the university and the boundaries of the state became a unity.

The result was that Wisconsin created unemployment compensation and worker's compensation so that people could bridge hard times, support their families and stay productive.

The result was that Wisconsin adopted a fair and progressive tax system based on the ability to pay.

It reforested half the state, created a park system for the refreshment of all its citizens, and began to restore the fish and game populations.

It laid the groundwork for a tradition of open and honest government that persists to this day and to this hour.

The people who made these judgments and these changes back then were not thinking in terms of a biennium or an elective term. They thought about a direction to be realized over the decades and across the generations.

Modern as we are, we could learn something from them.

They were not aristocrats. They were ordinary people. But they had the vision and they had the will. They saw themselves at the crossroads, and they changed Wisconsin's history to give us the proud state we enjoy today.

The Challenge of 1985

Few of us are aristocrats either. We come from ordinary backgrounds. I grew up in a small town. My dad ran a grocery store and my mother kept house. I spent some time in the service, then moved to Wausau where Sheila and I raised a family while I practiced law.

Many of you have similar backgrounds. You have come here from Janesville, Sun Prairie and Elroy, from Red Granite and Mellen. Some of you come from the farm and some from the metropolis, Milwaukee.

None of us made it here by Divine right. Our friends and our neighbors sent us here because they believed we would represent their values.

What do they expect of us? More importantly, what will those who follow have expected of us?

The people expect us to secure the economic future of our state so there are jobs in our cities and rural areas to provide work for them, for their children and for all the new immigrants who are drawn to Wisconsin's promise.

They expect us to protect our land, air and water, not just for them and us, but for future generations. They expect us to take steps now to ensure that the beauty and wholesomeness of Wisconsin endure forever.

They expect us to provide the best in education and an equal opportunity for everyone. They expect us to advance our state's achievements in tolerance and freedom, so that everyone who comes here understands Wisconsin is a land of liberty.

In short, they expect us, as they expected our forebears in the early years of this century, to "enhance the life and security" of the people through acts of legislation and governance that future sons and daughters of Wisconsin might admire as brave and even noble for our time.

This is a challenge that calls upon the best that is in us.

This is a challenge that calls for vision and will.

Let us, in the coming days, demonstrate that we are equal to the task and worthy of the people's trust.

Let us move Wisconsin forward once again.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 2

Relating to restructuring the standing committees of the senate, abolishing the office of senate president pro tempore, and prohibiting smoking in the senate chamber.

By committee on Senate Organization.

Read.

Considered as privileged and taken up.

LEAVE OF ABSENCE

By request of Senator Cullen, with unanimous consent, Senator Norquist was granted a leave of absence for today's session.

Senate amendment 1 offered by Senators Harsdorf, Lasee and Kreul.

The question was: Adoption of senate amendment 1?

Senator Cullen moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?
The motion prevailed.

The question was: Shall **Senate Resolution 2** be adopted?

The ayes and noes were demanded and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Kincaid, Kreul, Lee, Lecaan, Lorman, McCallum, Moen, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 28.

Noes -- Senators Chilsen, Harsdorf, Lasee and Stitt -- 4.

Absent or not voting -- Senator Norquist -- 1.

So the resolution was adopted.

Senate Joint Resolution 1

Relating to authorizing the creation of a Wisconsin state lottery (first consideration).

By Senators Van Sistine, Kincaid, Roshell, Andrea, Chilsen, Moen, Lasee, Strohl, Theno, George, Rude, Plewa, Otte and Ellis; cosponsored by Representatives Shoemaker, Vanderperren, Hephner, Matty, Crawford, Bolle, Manske, Hasenohr, Robinson and Gronemus.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 1

Relating to membership of the joint committee on finance, the transportation projects commission and the joint survey committee on tax exemptions.

By Senators Cullen and Engeleiter; cosponsored by Representatives Loftus and T. Thompson.

To committee on Senate Organization.

Senate Bill 2

Relating to prohibiting the killing of any animal by means of decompression and providing a penalty.

By Senators Otte, Andrea, Risser and Chvala; cosponsored by Representatives Krusick, Crawford.

Bolle, Carpenter, Vanderperren, Nelsen, Wineke and D. Travis.

To committee on Judiciary and Consumer Affairs.

Senate Bill 3

Relating to making an appropriation to the department of transportation for improvements on state trunk and connecting highways.

By Senators Otte, Moen, Kreul, Roshell and Kincaid; cosponsored by Representatives Vanderperren, Hasenohrl, Mark Lewis and Tregoning.

To committee on Transportation.

Senate Bill 4

Relating to revising penalties for offenses related to endangered species of wild animals.

By Senators Otte, Theno, Strohl, Risser and Chvala; cosponsored by Representatives Jauch, Bell, Crawford, Neubauer and Metz.

To committee on Energy and Environmental Resources.

Senate Bill 5

Relating to exemptions from execution for farm equipment, livestock and farming supplies.

By Senators Otte, Feingold, Moen, Kincaid and Chvala; cosponsored by Representatives Volk and Clarenbach.

To committee on Agriculture, Health and Human Services.

Senate Bill 6

Relating to cooperation by the department of natural resources with other organizations and individuals concerning forestry.

By Senator Helbach; cosponsored by Representative Gruszynski.

To committee on Tourism, Revenue, Financial Institutions and Forestry.

Senate Bill 7

Relating to requiring motor vehicle operators and passengers to wear safety belts, granting rule-making authority and providing a penalty.

By Senators Czarnecki, Risser, Plewa and George; cosponsored by Representatives Barrett, Merkt, Bell, Rosenzweig and Notestein.

To committee on Transportation.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Joint Resolution 2

Relating to commending Carl W. Thompson on his record of public service.

Introduction and adoption:

Ayes, 4 -- Senators Cullen, Risser, Engeleiter and Ellis;

Noes, 0 -- None.

Read.

Considered as privileged and taken up.
Adopted.

Senate Resolution 2

Relating to restructuring the standing committees of the senate, abolishing the office of senate president pro tempore, and prohibiting smoking in the senate chamber.

Adoption:

Ayes, 4 -- Senators Cullen, Risser, Engeleiter and Ellis;

Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

The joint committee for Review of Administrative Rules reports and recommends for introduction:

Senate Bill 8

Relating to charges for the cost of care of children in residential facilities.

Introduction:

Ayes, 6 -- Senators Kincaid, Norquist, Czarnecki, Representatives Rogers, Brist and Seery;

Noes, 1 -- Representative Crawford.

Read first time and referred to committee on Agriculture, Health and Human Services.

JOHN PLEWA
Senate Chair

STEVEN BRIST
Assembly Chair

The committee on Senate Organization reports and recommends for passage:

Senate Bill 1

Relating to membership of the joint committee on finance, the transportation projects commission and the joint survey committee on tax exemptions.

Passage:

Ayes, 4 -- Senators Cullen, Risser, Engeleiter and Ellis;

Noes, 0 -- None.

and recommends, under Senate Rule 20(1), the following nominations to committees for appointment by the Senate:

Aging, Banking, Commercial Credit and Taxation

Senator Feingold, Chair

Senator Plewa, Vice Chair

Senator Czarnecki

Senator Helbach

Senator Kincaid

Senator Davis

Senator Kreul

Senator Lorman

Agriculture, Health and Human Services

Senator Moen, Chair

Senator Otte, Vice Chair

Senator Feingold

- Senator Norquist
Senator Ulichny
Senator Harsdorf
Senator Lorman
Senator Rude
- Economic Development
Senator Ulichny, Chair
Senator Czarnecki, Vice Chair
Senator Cullen
Senator Hanaway
Senator McCallum
- Education and Government Operations
Senator Czarnecki, Chair
Senator Adelman, Vice Chair
Senator Helbach
Senator Moen
Senator Otte
Senator Davis
Senator Harsdorf
Senator Lorman
- Energy and Environmental Resources
Senator Strohl, Chair
Senator Lee, Vice Chair
Senator Adelman
Senator Chvala
Senator Norquist
Senator Ellis
Senator Hanaway
Senator Theno
- Judiciary and Consumer Affairs
Senator Adelman, Chair
Senator Feingold, Vice Chair
Senator Chvala
Senator Hanaway
Senator Davis
- Labor, Business, Veterans Affairs and Insurance
Senator Van Sistine, Chair
Senator Roshell, Vice Chair
Senator Otte
Senator Plewa
Senator Kreul
Senator Leean
- Tourism, Revenue, Financial Institutions and Forestry
Senator Kincaid, Chair
Senator Helbach, Vice Chair
Senator Ulichny
Senator Ellis
Senator Leean
- Transportation
Senator Otte, Chair
Senator Moen, Vice Chair
Senator Andrea
Senator Roshell
Senator Kreul
Senator Theno
- Urban Affairs, Utilities and Elections
Senator Lee, Chair
Senator Strohl, Vice Chair
Senator Van Sistine
Senator Lasec
Senator Rude
- To the joint committee for Review of Administrative Rules, pursuant to Sec. 13.56
Senator Plewa, Chair
Senator Norquist, Vice Chair
Senator Kincaid
Senator Kreul
Senator Rude
- To the joint committee on Audit, pursuant to Sec. 13.53
Senator Andrea, Chair
Senator Lee
Senator Lasec
Senator Leean
- To the Joint Survey Committee on Debt Management, pursuant to Sec. 13.49(3)
Senator Risser, Chair
Senator Chvala
Senator Chilsen
- To the joint committee on Finance, pursuant to Sec. 13.09
Senator George, Chair
Senator Roshell, Vice Chair
Senator Chvala
Senator Helbach
Senator Norquist
Senator Stohl
Senator Stitt
- To the Joint Survey Committee on Retirement Systems, pursuant to Sec. 13.50(1)
Senator Andrea, Chair
Senator Van Sistine
Senator Davis
- To the Joint Survey Committee on Tax Exemptions, pursuant to Sec. 13.52
Senator Czarnecki, Chair
Senator Norquist
Senator Leean
- To the State Building Commission, pursuant to Sec. 13.48(2)
Senator Risser
Senator Van Sistine
Senator Theno
- To the Transportation Projects Commission, pursuant to Sec. 13.489
Senator Kincaid
Senator Otte
Senator McCallum
- To the Child Abuse and Neglect Prevention Board, pursuant to Sec. 15.19(4)
Senator Moen

To the State Historical Society, pursuant to Sec. 15.70(1)
Senator Risser
Senator Rude

To the Housing and Economic Development Authority,
pursuant to Sec. 234.02(1)
Senator Plewa
Senator Kreul

TIMOTHY F. CULLEN
Chair

The question was: Shall the committee report be adopted?
Adopted.

PETITIONS AND COMMUNICATIONS

Senate Petition 1

A petition in the form of a resolution from the Common Council of the City of Greenfield requesting that legislation be introduced to limit the use of industrial revenue bonding and tighten the definition of blight.

By Senator Czarnezki.

Read and referred to committee on Economic Development.

State of Wisconsin
Claims Board

January 11, 1985

Don Schneider
Senate Chief Clerk

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on November 26, 1984.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD D. MAIN
Secretary

STATE OF WISCONSIN
CLAIMS BOARD

The State Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin on November 26, 1984 upon the following claims:

John Siefert, a former municipal judge in the City of Milwaukee seeks reimbursement on behalf of the Calvert Insurance Company for a claim in the amount of

\$83,408.37 as payment for attorneys fees incurred in the defense of charges of misconduct brought against him by the Judicial Commission on April 29, 1982. This claim was filed under s. 757.99, Stats. In order to receive compensation under this statute, a judge must be "found not to have engaged in misconduct." In this case, the Supreme Court did not make a specific finding regarding misconduct. The parties entered into a "stipulation for voluntary dismissal" and on October 4, 1983, the court dismissed the matter "on the merits." As a result, a question exists as to whether or not the dismissal by the court "on the merits" constitutes a finding that the claimant did not engage in misconduct. The Board is not deciding that question. Instead, the Board has concluded that this claim should be denied because this is a subrogation claim by an insurance company. This is consistent with the past practice of the Board regarding these types of claims.

Dated at Madison this 2nd day of January, 1985.

GARY R. GEORGE
Senate Finance Committee
MARLIN D. SCHNEIDER
Assembly Finance Committee
JUAN B. COLAS
Representative of Governor
EDWARD D. MAIN
Representative of Secretary of Administration
WILLIAM H. WILKER
Representative of Attorney General

State of Wisconsin
Department of Justice
Division of Law Enforcement Services

January 9, 1985

To the Honorable, the Senate:

Section 165.91, Stats., which provides aid for cooperative county-tribal law enforcement programs became effective July 1, 1983 with the passage of the 1983-85 budget bill. Paragraph 165.91(3) specifies that annually, by January 15, the Department of Justice shall report to the Legislature and Governor on the performance of these programs and on the value of such a program to other counties and tribes.

The legislation provides that a county-tribal council organization can apply for \$20,000 of state aid by submitting a plan to the Department of Justice covering several points outlined in the statutes including identifying how the grant requirement of \$5,000 in matching funds is to be met. The law, which states that these programs sunset after July 1, 1986, further specifies that a plan is eligible only if a county-tribal law enforcement program was in effect on January 1, 1983. This requirement limited participation in the program to the Shawano County-Stockbridge Munsee and Bayfield-Red Cliff Councils.

Bayfield County-Red Cliff Tribal Council:

Two liaison contacts by a Training and Standards Bureau Field Representative and one contact by a Bureau Assistant Attorney General, who was on a training assignment in Bayfield County, were completed during 1984. Copies of memoranda from the two individuals completing the liaison contacts are attached for your information.

Second year funding was requested, approved, and a draft forwarded to the Bayfield County Clerk October 15, 1984.

Shawano County-Stockbridge Munsee Tribal Council:

The Shawano County-Stockbridge Munsee Tribal Council grant request submitted to the Department of Justice met all statutory requirements. Second year funding was requested, approved, and a draft sent to the Shawano County Clerk August 16, 1984.

The Shawano County-Stockbridge Munsee Council program was the more visible of the two grants because of the program director's many trips to Madison in which contacts with the area's legislators and the Training and Standards Bureau were made. Differences of opinion between the Sheriff and Tribal Council over deputization of personnel assigned to provide cooperative law enforcement services to the designated tribal area existed through most of 1984. The problem was compounded by the failure of one of the Sheriff's Deputy choices to successfully complete mandated basic training and another individual being ineligible to function as a law enforcement officer because of residence in Menomonie rather than Shawano County.

A meeting held in early December which included Tribal Council members, elected officials from Bowler and Gresham, two communities contracting with the county and tribal council for police services, and Training and Standards Bureau staff discussed the many minor problems associated with the operation. A meeting tentatively scheduled for late January, after a new Sheriff takes office, is expected to resolve existing differences and open new lines of communication resulting in a law enforcement operation meeting the needs of the state, county, and tribal council.

A representative monthly report for July, 1984 involving activities of three assigned deputies is attached for your information.

In the opinion of Bureau staff monitoring activities in the two counties, the allocated funds have been responsible for a more responsive and responsible type of law enforcement on the reservations.

A better understanding of tribal law enforcement problems, shorter response time to requests for service, reduced requests for assistance from County Deputy Sheriffs, and renewed pride and interest in the law enforcement function are just a few of the many tangible

improvements brought about as a result of the grant allocations.

Sincerely,
KEN VANDEN WYMELENBERG
Director

State of Wisconsin
Department of Transportation

January 3, 1985

To the Honorable, the Senate:

Enclosed is the final draft of "Administrative Revocation of Drunk Drivers in Wisconsin--A Legislative Report" prepared by the Department of Transportation. This report was mandated by 1983 Wisconsin Act 459. The final version of the report, with appendices, will be delivered to all members of the Senate and Assembly by January 21, 1985.

If you have any questions, feel free to contact me or Assistant General Counsel Jerry L. Hancock at 266-8810.

Sincerely,
LOWELL B JACKSON, P.E.
Secretary

State of Wisconsin
Department of Employment Relations

January 4, 1985

To the Honorable, the Senate:

I am pleased to report that the State of Wisconsin has made progress toward balancing the work force for females, racial/ethnic minorities and persons with handicaps in the past biennium. Despite total work force reductions in Fiscal Year (FY) 83-84, there has been a steady increase in the number and percentage of racial/ethnic minorities and persons with handicaps in the permanent classified work force. The University of Wisconsin System is not included in this report since data was unavailable in a compatible format.

There have been many initiatives taken at the state and agency level which have contributed to these achievements. As this report reviews the status of affirmative action in the State of Wisconsin, it will highlight additional accomplishments, as well as future goals and recommendations. Despite the many positive trends in affirmative action, our work is not yet done.

Sincerely,
HOWARD FULLER
Secretary

State of Wisconsin
Office of the Secretary of State

January 7, 1985

To the Honorable, the Senate:

I, Douglas La Follette, Secretary of State of the State of Wisconsin, do hereby certify that the following proposed amendments to the Constitution of the State of Wisconsin have been approved by the regular session of the 1983 legislature and duly published as required by Section 1 of Article XII of the Constitution:

Enrolled Joint Resolution 40
Enrolled Joint Resolution 44
Enrolled Joint Resolution 30

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

State of Wisconsin
Senate Chief Clerk

January 14, 1985

To the Honorable, the Senate:

Pursuant to section 13.15 of the Wisconsin Statutes and Senate Rule 5, I hereby appoint Donna J. Doyle as Assistant Chief Clerk giving her all powers as are derived from and inherent in said position and to perform the duties and functions of the office in the absence of the Chief Clerk.

Sincerely,
DONALD J. SCHNEIDER
Senate Chief Clerk

State of Wisconsin
Midwest Low-Level Radioactive Waste Compact
January 2, 1985

To the Honorable, the Senate:

Pursuant to Section 16.11(3)(i)2, Wis. Stats. (1983 Wisconsin Act 393, Section 2), I am enclosing a copy of the annual report of the Midwest Low-Level Radioactive Waste Compact Commission.

The past year has been a challenging and productive one for the Midwest Commission, and I urge you to review the Executive Summary on pages i-iii of the annual report to become familiar with the Commission's activities.

Sincerely,
DON SCHOTT
Wisconsin Commissioner

State of Wisconsin
Department of Health and Social Services
January 1, 1985

To the Honorable, the Senate:

The 1983-85 Biennial Budget Act (1983 Wisconsin Act 27) requires the Department of Health and Social Services to complete an evaluation of the Community Options Program and to submit it to the Governor, the Joint Committee on Finance, and the presiding officer of each house of the Legislature by January 1, 1985. The language requiring this evaluation specifies the following four components for the evaluation:

1. Whether persons receiving alternative community services are at risk of imminent institutionalization.
2. Whether the program maximizes the services of family and friends;
3. Comparison of the costs of alternative community services and of institutionalization, and,
4. Varying degrees of difficulty of serving different disability groups.

The attached evaluation report addresses the above questions. As you will note, the report is quite long. A

two-page summary is provided at the front of the report and each chapter begins with a summary of the conclusions that can be drawn from that chapter. In addition, the Department is preparing another summary of the report which will be considerably shorter and which will make heavy use of charts and graphs to increase its readability. We will send you a copy of that summary once it has been completed.

Sincerely,
LINDA REIVITZ
Secretary

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

January 11, 1985

To the Honorable, the Senate:

I am writing to request an invitation to address a joint convention of the Senate and Assembly on January 15, 1985, at 2:15 p.m.

Thank you for your consideration of this request.

Sincerely,
ANTHONY S. EARL
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

December 10, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ULICE PAYNE, JR. of Racine as the Securities Commissioner pursuant to the statute governing, to serve a term to expire March 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Tourism, Revenue, Financial Institutions and Forestry.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

December 18, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ALVIN OTT, JR. of Forest Junction to the Land Conservation Board pursuant to the statute governing, to serve a term to expire January 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

December 18, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **KENNETH LINDQUIST** of Highbridge to the Land Conservation Board pursuant to the statute governing, to serve a term to expire January 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

December 18, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **BYRON BERG** of Blanchardville to the Land Conservation Board pursuant to the statute governing, to serve a term to expire January 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has organized and is ready to proceed to the business of the 1985 legislative session.

Adopted and asks concurrence in:

- Assembly Joint Resolution 1**
- Assembly Joint Resolution 2**

Passed and asks concurrence in:

- Assembly Bill 4**

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 1

To create the session schedule for the 1985-86 biennial session period.

By Representative Loftus, cosponsored by Senator Risser.

Read.

Considered as privileged and taken up.

The question was: Concurrence of **Assembly Joint Resolution 1**?

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 31.

Noes -- Senator Theno -- 1.

Absent or not voting -- Senator Norquist -- 1.

So the joint resolution was concurred in.

Assembly Joint Resolution 2

Relating to congratulating **Thomas T. Melvin** on his 20 years of service with the assembly.

By Representatives Loftus and T. Thompson, cosponsored by Senators Risser and Cullen.

Read first time and referred to committee on Senate Organization.

Assembly Bill 4

Relating to adjustments of Wisconsin state property tax relief credits due to annexations.

By Representatives Hephner, Prosser and Walling, cosponsored by Senators Otte, Ellis, Lasee and Hanaway.

Read first time and referred to committee on Tourism, Revenue, Financial Institutions and Forestry.

CALENDAR OF JANUARY 15

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Senate Bill 1** was considered at this time.

Senate Bill 1

Relating to membership of the joint committee on finance, the transportation projects commission and the joint survey committee on tax exemptions.

Read a second time.

Senate amendment 1 offered by Senator Otte.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendment 2 offered by Senators George and Lee.

The question was: Adoption of senate amendment 2? Adopted.

Senate amendment 3 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 3? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 1

Read a third time and passed.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

The senate stood informal for eight minutes.

4:30 P.M.

4:38 P.M.

The senate reconvened.

Senator Ellis moved that the rules be suspended and **Assembly Bill 4** be withdrawn from committee on Tourism, Revenue, Financial Institutions and Forestry and be considered at this time.

The question was: Shall the rules be suspended and **Assembly Bill 4** be considered at this time?

By request of Senator Hanaway, with unanimous consent, he was made a co-author of **Assembly Bill 4**.

The question was: Shall the rules be suspended and **Assembly Bill 4** be withdrawn from committee on Tourism, Revenue, Financial Institutions and Forestry and be considered at this time?

The ayes and noes were required and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Kreul, Lasee, Leraan, Lorman, McCallum, Otte, Rude, Stitt and Theno -- 14.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Harsdorf, Helbach, Kincaid, Lee, Moen, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 18.

Absent or not voting -- Senator Norquist -- 1.

Less than two-thirds having voted in the affirmative, the motion did not prevail.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, January 29.

4:55 P.M.